

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

| | | |
|--|---|-----------------------|
| KERBY STRACCO, |) | |
| |) | |
| <i>Plaintiff,</i> |) | |
| |) | |
| v. |) | 1:25-cv-129 (PTG/IDD) |
| |) | |
| TOWN SQUARE MARK CENTER, <i>et al.</i> , |) | |
| |) | |
| <i>Defendants.</i> |) | |

ORDER

This matter comes before the Court on Defendants’ Town Square at Mark Center, Bozzuto Management Company, Reading Ave Owner LLC, and Caitland Roberts (collectively, “Bozzuto Defendants”) Motion to Dismiss (Dkt. 20). Bozzuto Defendants have noticed the motion for hearing on April 10, 2025, at 10:00 a.m. Dkt. 23. Plaintiff Kerby Stracco is proceeding *pro se*.

Plaintiff is hereby NOTIFIED that an opposing party has filed a motion to dismiss that, if granted, could result in the dismissal of some or all of Plaintiff’s claims. Plaintiff is ADVISED that Plaintiff is entitled to file an opposition to the Motion to Dismiss but must do so within **twenty-one (21) days** of the date of this Order. *See Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975).

Plaintiff is FURTHER ADVISED that should Plaintiff fail to oppose the Motion to Dismiss, the Court may dismiss some or all of Plaintiff’s claims on the basis of the moving party’s papers. If Plaintiff submits a response, Defendants may file a reply **within six (6) days** after the service of Plaintiff’s response. *See* E.D. Va. Loc. Civ. R. 7(F)(1). Thereafter, “[n]o further briefs or written communications may be filed without first obtaining leave of Court.” *Id.* Accordingly, it is hereby

ORDERED that Plaintiff will have twenty-one (21) days from the filing date of this Order to file an opposition to Bozzuto Defendants’ Motion to Dismiss (Dkt. 20); and it is further

ORDERED that Defendants may file a reply **within six (6) days** after the service of Plaintiff's response; and it is further

ORDERED that the hearing on Bozzuto Defendants' Motion to Dismiss (Dkt. 20) currently scheduled for April 10, 2025, at 10:00 a.m. is **RESET** to May 1, 2025, at 10:00 a.m.

The Clerk is **DIRECTED** to mail a copy of this Order to Plaintiff Kerby Stracco, who is proceeding *pro se*.

Entered this 26th day of March, 2025.
Alexandria, Virginia



Patricia Tolliver Giles
United States District Judge